



Division:	Human Resources (HR)
Title:	Standard Operating Procedures
Procedure:	GRIEVANCE, UNLAWFUL WORKPLACE HARRASSMENT COMPLAINT GUIDELINES
Original Effective Date:	
Revised Effective Date:	

Unlawful Workplace Harassment Complaint Guidelines

Step 1 - Division/Facility/School Director

All complaints must be written, signed, dated and submitted to employing division/facility/school within thirty (30) calendar days of the alleged harassment based on age, gender, race, color, national origin, religion, creed, political affiliation or handicapping condition. **(Note: Please refer to your Division/Facility/School Policy.)** Any employee (former or current, regardless of appointment type) who alleges unlawful harassment must follow the procedures written in the Unlawful Workplace Harassment policy. A Grievant must follow DHHS Directive III-8 if alleging grievable issues thereunder or the Department's internal investigative process for non-grievable harassment issues.

The complainant may bypass any steps that would require a decision by the alleged harasser.

For issues that are not grievable under Directive III-8, management should ensure that a prompt and impartial investigation is conducted. [\(Administrative Investigation Guideline\)](#)

A written response from the division/facility/school director or designee must be submitted to the grievant within sixty (60) calendar days from receipt of the written complaint alleging unlawful workplace harassment. The division/facility/school director's response serves as the DHHS Final Agency Decision and affords the grievant with the appeal rights.

Step 2 - OAH/SPC

If not satisfied with the division/facility/school director's response, the grievant may appeal directly to OAH/SPC within thirty (30) calendar days of the division/facility/school director's response.

Address:
Office of Administrative Hearings
424 North Blount Street
Mail Service Center 6714
Raleigh, North Carolina 27699-6714

WEBSITE RESOURCES:

State Personnel Policy, Unlawful Workplace Harassment
<http://www.osp.state.nc.us/manuals/manual99/wkplhs.pdf>

(No DHHS Policy, Use Division/Facility/School Policy)